

# Notice of Allowability

Application No.

09/382,141

Examiner

C. Michelle Colon

Applicant(s)

FERGUSON ET AL.

Art Unit

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## -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE filed on November 1, 2004.
2. ☒ The allowed claim(s) is/are 32-75.
3. ☒ The drawings filed on 24 August 1999 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

### Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 11/1/04, 12/15/04, 12/20/04
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
TARIQ R. HAFIZ  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3623

### **ALLOWANCE**

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 1, 2004 has been entered.

Claims 32-75 are now pending in this application. The most recent claims are the claims that were amended in the Examiner's Amendment mailed on May 11, 2005.

### ***Information Disclosure Statement***

2. The examiner has reviewed the patents and publications supplied in the Information Disclosure Statement (IDS) provided on November 1, 2004 and December 15, 2004.

### ***Reasons for Allowance***

3. Claims 32-75 are allowed.

4. The following is an examiner's statement of reasons for allowance: None of the prior art of record, taken individually or in any combination, teach, *inter alia*, a tool, system and method of classifying an individual in a work environment as a member of at least one of a plurality of work pattern groups comprising a first group, a second group, a third group, a fourth group, a fifth group, and a sixth group, comprising: measuring a

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work characteristic of the individual associated with performance of work by the individual; and identifying the individual as a member of at least one of the plurality of work pattern groups based on the work characteristic measured for the individual; *wherein work characteristics associated with the first group include a tight work focus, highly protocolled work processes, and a low degree of interaction with other individuals in the work environment; wherein work characteristics associated with the second group include a contextual work focus, moderately protocolled work processes, and a moderate degree of interaction with other individuals in the work environment; wherein work characteristics associated with the third group include a wide work focus, logistics-oriented work processes, and a high degree of interaction with other individuals in the work environment; wherein work characteristics associated with the fourth group include a wide work focus, highly variable work processes, and a high degree of interaction with other individuals in the work environment; wherein work characteristics associated with the fifth group include a contextual work focus, moderately variable work processes, and a moderate degree of interaction with other individuals in the work environment; and wherein work characteristics associated with the sixth group include a tight work focus, well-defined work processes, and a low degree of interaction with other individuals in the work environment.*

The prior art most closely resembling Applicant's claimed invention are as follows: Taylor et al. (U.S. 6,292,830), Paizis (U.S. 6,338,042), Haq et al. (6,275, 812) and Barney et al. (U.S. 6,070,143).

Taylor et al. teaches a method and tool for classifying individuals within an organization based on their work pattern data, where the work pattern data is comprised of predefined characteristics. However, Taylor et al. does not disclose the level of detail as the present invention as discussed above of defining various groups to categorize individuals based on the level of their work focus, the extent to which their work processes are defined and the degree of their interaction with others.

Paizis teaches a method and apparatus for obtaining work pattern data associated with an individual and conducting work performance evaluation based on the work pattern data. However, Paizis does not disclose the level of detail as the present invention as discussed above of defining various groups to categorize individuals based on the level of their work focus, the extent to which their work processes are defined and the degree of their interaction with others.

Haq et al. teaches a system and method for human resource skill management that maps individuals' specialties to skills and roles and responsibilities. Haq et al. further teaches using the level of interaction between members of a group to categorize the members. However, Haq et al. does not disclose the level of detail as the present invention as discussed above of defining various groups to categorize individuals based on the level of their work focus, the extent to which their work processes are defined and the degree of their interaction with others.

Barney et al. teaches a knowledge management system and method for job analysis and linking job requirements to products. The job analysis identifies key work-oriented data such as tasks and worker-oriented data such as skills to determine

products best related to the job. However, Barney et al. does not disclose the level of detail as the present invention as discussed above of defining various groups to categorize individuals based on the level of their work focus, the extent to which their work processes are defined and the degree of their interaction with others.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Michelle Tarae (formerly, C. Michelle Colon) whose telephone number is 571-272-6727. The examiner can normally be reached Monday – Friday from 8:30am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz, can be reached at 571-272-6729.

Any response to this action should be mailed to:

***Mail Stop \_\_\_\_\_***

***Commissioner for Patents***

***P.O. Box 1450***

***Alexandria, VA 22313-1450***

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or faxed to:

703-872-9306 [Official Communications; including After Final  
communications labeled "Box AF"]

571-273-6727 [For status inquiries, draft communication, labeled  
"Proposed" or "Draft"]

Hand delivered responses should be brought to:

***United States Patent and Trademark Office***

***Customer Service Window***

***Randolph Building***

***401 Dulany Street***

***Alexandria, VA 22314***



cmc

April 14, 2005



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